

IN THE UNITED STATES PATENT AND TRADEMARK OFFICECertificate of Transmission

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Gudrun E. Huckett
Gudrun E. Huckett, Patent Agent

Applicant: Thomas Hugen
Serial No: 10/088,029
Intern. Filing Date: 5 August 2000
Title: Communuting Machine

PCT No.: PCT/EP00/07612
Attorney Docket: 19943518

ATTN: Patricia Booker
Paralegal Specialist - PCT Operations, DO/EO
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

In response to the e-mail notification received today, I am attaching copies of the petition for revival filed June 24, 2002, including fee transmittal sheet and including fax report showing proper transmission of the of three sheets on that day.

Also included is a letter submitted on November 8, 2004, in reponse to the USPTO letter dated 27 September 2004 stating that no petition to revive has been received. The letter included copies of the petition and also the fee transmittal sheet as well as the fax report mentioned above. A copy of the return card showing that the correspondenc has been received on November 10, 2004, is attached also.

It is therefore respectfully requested that the application be revived. As acknowledged in the e-mail, the required fees have been received in the USPTO. Please note the attached change of correspondence address form.

Respectfully submitted on September 12, 2005,

Gudrun E. Huckett
Ms. Gudrun E. Huckett, Ph.D.
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Lönsstr. 53
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65.00 DA

Encl.: - 3 pages petition to revive (including 1 sheet fee transmittal sheet) dated 6/24/2002
- 1 page fax report dated 6/24/2003
- 1 page letter dated 11/8/2004 resubmitting the petition
- 1 page copy of return card - correspondence has been received on 11/10/2004
- 1 page change of correspondence address form -PTO/SB/122

PTO/SB/84 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
19943518

First named inventor: **Thomas Hugen**

Application No.: **10/088,029**
PCT/EP00/07612 filed **8/5/2000**

Filed: **3/11/2002**

Art Unit:

Examiner:

Title: **Comminuting Machine**



FAXED
6/10/02

GERT

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee —required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ **640** (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of **U.S. Basic National Fee \$445** (identify type of reply):

has been filed previously on _____
 is enclosed herewith.

B. The issue fee of \$ _____.

has been paid previously on _____
 is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/64 (10-01)

Approved for use 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

6/24/2002

Date



Signature

Telephone

Number: 505 266-2138Gudrun E. Huckett, Reg. No. 35747

Typed or printed name

P.O. Box 3187, Albuquerque, NM 87190

Address

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916. Number of sheets in this transmission: 3

6/24/2002

Date



Signature

Gudrun E. Huckett

Type or printed name of person signing certificate

PTO/SB/17 (11-01)

Approved for use through 10/31/2002, OMB 0551-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number	10/088,029
Filing Date	3/11/2002
First Named Inventor	Thomas Hugen
Examiner Name	
Group Art Unit	
Attorney Docket No.	19943518

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	501199
Deposit Account Name	Gudrun E. Huckett

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 185	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X =	=
Multiple Dependent	-3** =	X =	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity/Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
138 130	138 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 480	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 180	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavailable	
141 1,280	241 640	Petition to revive - unintentional	640.00
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(g))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) US Basic National Fee		445.00	
SUBTOTAL (3) (\$)		1125.00	

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Gudrun E. Huckett	Registration No. (Attorney/Agent)	35,747	Telephone	505-266-2138
Signature	Gudrun E. Huckett			Date	6/24/202

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

HP LaserJet 3100
Printer/Fax/Copier/Scanner

~~END CONFIRMATION REPORT for
GUDRUN HUCKETT, PATENT AGENT
505 266 2138
Jun-24-02 10:46AM~~

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
367	6/24 10:44AM	1'12"	703 308 6916	Send.....	3 / 3	EC144	Completed.....

Total 1'12" Pages Sent: 3 Pages Printed: 0

Under the Patent Protection Act of 1990, no person is required to release a disclosure of information prior to filing a patent application.		Approved Service-Entries, trademarks, trade dress, service marks U.S. PATENT AND TRADEMARK OFFICE, DEPARTMENT OF COMMERCE
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.17(d)		DocID Number (Optional): 15943516
First named Inventor: Edwards, Eugene Application No.: 10/088,929 Filed: 8/5/2000 Due: 3/11/2002		Art Unit: Examiner:
TER Committing Machine		
Attention: Office of Patents Assistant Commissioner for Patents Box DAC Washington, D.C. 20231		
NOTE: If information or assistance is needed in completing this form, please contact Patents Information at (703) 305-2212.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice of action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice of action plus an extension of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items:		
(1) Petition fee (2) Filing fee (3) Issue fee (4) Terminal disclaimer with disclaimer fee required for all utility and plant applications filed before June 6, 1990; and for all design applications; and (5) Statement that the entire delay was unintentional.		
1. Petition fee - \$ 640 (37 CFR 1.17(b)). Applicant claims small entity status. See 37 CFR 1.27.		
☐ Other than small entity - less \$ _____ (37 CFR 1.17(b))		
2. Reply under fee		
A. The reply and/or fee to the above-named Office action in Box 1 of Basic Material Fee 4445 - identify type of reply: ☐ has been paid previously on _____ ☐ is enclosed herewith.		
B. The issue fee of _____ ☐ has been paid previously on _____ ☐ is enclosed herewith.		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**DHL EXPRESS 552 6567 653**

Applicant: Thomas Hugén
Serial No: 10/088,029 PCT No.: PCT/EP00/07612
Intern. Filing Date: 5 August 2000 Attorney Docket: 19943518
Title: Commuting Machine

Mail Stop PCT
ATTN: Office of PCT Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

The undersigned received a response dated 27 September 2004 responding to status inquiries filed on 10 February 2004 and 2 July 2004.

The response states that no petition for revival has been found in the incoming papers.

A **copy of the petition** faxed on 24 June 2002 is attached. The undersigned herewith states that the copy is a true copy and, as evidenced by the certificate of mailing or transmission by fax on page 2 of the Petition for Revival, that she has faxed the papers on June 24, 2002, to the USPTO at fax number provided in the certificate. Also attached is a **confirmation report** printed by the fax machine of the undersigned showing that the transmission of three pages was successfully completed on June 24, 2002, to the fax number provided in the certificate of transmission (this is the fax number provided by the USPTO on the official petition form).

Note that the undersigned has relocated to GERMANY since filing the petition for revival.

It is therefore respectfully requested that the application be revived and that the required fees be charged to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on November 8, 2004,

Gudrun E. Huckett
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Encl.: - 3 pages petition to revive including fee transmittal sheet (1 sheet)
- 1 page fax report

DHL EXPRESS 552 6567 653 Date: November 8, 2004 Docket: 19943518

Please acknowledge receipt of the documents listed below by placing your receiving stamp on this card and returning this card to the addressee.

Response Letter

Inventor(s): Thomas Hugen
Title: Commutating Machine
Application Ser. No.: 10/0988,029
Filing Date: 31/12/2002 102 Rec'd PCT/P10 10 Nov 2004

Documents submitted:

Cover letter: (1 page/s)
Copy of Petition (incl. fee transmittal): (3 page/s)
Copy of Fax Report: (1 page/s)

Good

REMAN